

E-FILED: December 19, 2012

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SILIAN XIE,

No. C12-00538 HRL

Plaintiff,

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED**

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Defendant moves to dismiss this action without prejudice. The motion states that plaintiff has communicated to defense counsel a desire to dismiss this action. The docket reflects that the motion was served on plaintiff. The court has not received any opposition or response to it, and the time for filing a response has passed.

If plaintiff does not want this action to be dismissed, the court will give her until **January 4, 2013** to file a written response saying so. If plaintiff does not file a response by that date, then the court will dismiss this action without prejudice, each side to bear its own fees and costs, as requested by defendant. No hearing will be held on this order to show cause unless otherwise ordered by the court.

SO ORDERED.

Dated: December 19, 2012



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

United States District Court
For the Northern District of California

1 5:12-cv-00538-HRL Notice has been electronically mailed to:

2 Daniel Paul Talbert Daniel.Talbert@ssa.gov

3
4 5:12-cv-00538-HRL Notice sent by U.S. Mail to:

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